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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,492	07/23/2003	Susanne Marie Crockett	8285/632	2000

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EXAMINER	
KNOWLIN, THJUAN P	

ART UNIT	PAPER NUMBER
2642	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/626,492	CROCKETT ET AL.	
	Examiner	Art Unit	
	Thjuan P. Knowlin	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 October 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on October 31, 2005 has been entered. Claims 1, 14, and 18 have been amended. No claims have been cancelled. No claims have been added. Claims 1-22 are still pending in this application, with claims 1, 14, and 18 being independent.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1 – 5, 8, 9, 11, 14, 18, 20, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by US 5,729,592 (Frech et al.)

4. As to claim 1, Frech et al. teaches receiving a call from a calling station's switch 101 at a called station's switch 102 (Fig. 1, Col. 3, lines 3 – 7); determining if the called station is busy on a call (Col. 4, line 64 – Col. 5, line 3); transmitting the calling directory number, called and calling station telephone numbers, any of which read on the claimed information, to service circuit node / intelligent peripheral (SCN / IP) 131, read as the claimed hub switch if the called station is busy (Col. 3, lines 43 – 47, Col. 5, lines 13 – 15); using SCN / IP 131 to generate a query that requests for example, a calling party's name and routing instructions, read as the claimed information associated with the calling communications and obtaining such information (Col. 3, lines 43 – 64, Col. 5,

lines 16 – 22); and transmitting such information to the called station (Col. 5, line 30 – Col. 6, line 6).

5. As to claim 2, Frech et al. teaches initiating or routing an outgoing call to SCN / IP 131. (Col. 5, lines 13 – 48)

6. As to claims 3 and 8, Frech et al. teaches that such information is queried and received from a service control point (SCP) 121, read as the claimed database. (Col. 3, line 3 – 14 and lines 43 – 66, Col. 5, line 6 – Col. 6, line 6)

7. As to claims 4 and 5, see the rejection of claim 1 note that if a calling party's name is requested, obtained, and transmitted, then SCP 121 / database must be at least in part, a caller identification with name database. Moreover, because a calling party's name is determined, such is caller identification or identifying a caller.

8. As to claim 9, Frech et al. teaches automatically transmitting the name of the calling party, read as the claimed audible representation of information. (Col. 3, lines 57 – 65, Col. 5, lines 54 – 59)

9. As to claim 11, Frech et al. teaches transmitting a call waiting signal, read as the claimed audible call waiting indicator. (Col. 5, lines 54 – 56) Note that this occurs before an information associated with the calling station is transmitted. (Col. 5, lines 56 – 59)

10. As to claim 14, see the rejection of claims 1 and 8. See also Fig. 1 and Col. 3, lines 9 – 14.

11. As to claim 18, see the rejection of claims 1, 2, and 8.

12. As to claim 20, see the rejection of claim 9.

13. As to claim 22, see the rejection of claim 11.

Claim Rejections - 35 USC § 103

14. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

15. Claims 10, 15 – 17, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,729,592 (Frech et al.)

16. As to claims 10 and 21, Frech et al. has been discussed above. What Frech et al. does not teach is providing textual representation of the information. However, callerID functionality is notoriously old and well known and provides the ability for a called party to textually see who is calling him/her. Because the above-discussed audible representation taught by Frech et al. is effected by translating a textual version of a caller's name, for example, it would have been obvious for one of ordinary skill in the art at the time the invention was made to simply have not taken the extra step of translating the textual version and simply transmitting it as is. Motivation for either is also notoriously old and well known. Sometimes, visual representation is more desirable since visual data is at times easier to decipher and able to present more information without becoming burdensome as would be listening to a plethora of data. On the other hand, if visual means are not available such as with older POTS telephone units, audible information is the only viable option for presenting information. Either would be an old and well known design choice or preference.

17. As to claims 15 and 16, see the rejection of claim 1. What Frech et al. does not teach is having a separate hub switch and SCN or IP.

18. However, such would have been an obvious alternative to effect to one of ordinary skill in the art at the time the invention was made inasmuch as all the functionality of both the claimed hub switch and SCN or IP are found in SCN / IP 131 of Frech et al. Merely separating out certain functionality or locating certain functionality in desired system elements is notoriously old and well known in the advanced intelligent network (AIN) arts. Moreover, Frech et al. does contemplate situations wherein other switches separate that originating (calling station) and terminating (called station) switches and therefore, the SCN /IP 131 could just as easily by located with / connected to one of these intermediate switches which would read on the claimed hub switch. (Col. 3, lines 22 – 25)

19. As to claim 17, having a database co-located with an SCP or having the database portion of the SCP located outside of the SCP is again, notoriously old and well known in the AIN arts. Just as discussed with regard to claims 15 and 16, separating out functionality is old and well known. Also, many times, an SCP may need access to more information than its own database contains and is thus connected to another database(s). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have separated from or had another database connected to SCP 121.

20. Claims 6, 7, 10, 12, 13, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,729,592 (Frech et al.) in view of US 5,636,269 (Eisdorfer).

21. As to claims 6 and 7, Frech et al. has been discussed above. What Frech et al. does not teach is obtaining telephone number information in addition to name information.

22. However, Eisdorfer teaches playing either a name or number (identifying the calling station) and so it would have been obvious to one of ordinary skill in the art at the time the invention was made to have allowed the system of Frech et al. to store, obtain, and transmit telephone number information. (Col. 3, line 15 – Col. 4, line 28 of Eisdorfer) This is because 1) both systems teach playing audible announcements for call waiting features and 2) since the information gleaned in both Frech et al. and Eisdorfer include both name and number of the calling station, it would simply be a preference or design choice as to whether or not the telephone number would be included in the audible announcement.

23. As to claims 12 and 13, Frech et al. has been discussed above as teaching a call waiting audible indicator. What Frech et al. does not specifically teach is what form that indicator takes and transmitting a tone after information is given to the called station.

24. However, call waiting indicators are merely generated tones and can be nearly anything that is desired, and certainly a single tone. The same is true of playing a tone not only before, but after information is transmitted in that such limitations are merely "cosmetic" in nature whose advantages are simply that the system is perhaps

more user friendly or more personalized to a designer or system provider's needs / wants. That being the case, it would have been obvious for one of ordinary skill in the art at the time the invention was made to have used a single tone as well as played a single tone after the information transmission to the called station.

25. As to claims 10 and 21, for further support of obviousness, Eisdorfer teaches playing either a single tone, repeated tones, tones of varying frequency or some combination thereof for a call waiting indicator. (Col. 3, lines 15 – 21 of Eisdorfer)

Response to Arguments

26. Applicant's arguments filed 10/31/05 have been fully considered but they are not persuasive. Applicants merely argue that a hub switch is not a service node. However, whether or not a hub switch is a service node within the present invention, the service node (SCN/IP 131) disclosed in the Frech et al reference, performs the same function as the claimed hub switch, therefore, the service node (SCN/IP 131) reads on the claimed hub switch (Col. 3 lines 43-47 and Col. 5 lines 13-15).

Conclusion

27. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

28. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is

not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

31. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin

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